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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SAJ-01 SAM-01 ACDA-05 IO-10 OMB-01

EURE-00 INRE-00 USIE-00 NSCE-00 CIAE-00 DODE-00 PM-03

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 SSO-00 /070 W
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O R 271326Z JUN 75
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 1053
INFO USMISSION USBERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 10411

E.O. 11652: GDS
TAGS: PFOR, WB, US, UK, FR, UR, GW
SUBJECT: REPLY TO SOVIET PROTEST ON LORENZ CASE

REF: STATE 147450; BONN 10000

1. IMPORTANCE ATTACHED BY DEPARTMENT TO DELETION OF SPECIFIED SENTENCE OF PARA 2 OF DRAFT RESPONSE WAS EMPHASIZED BY EMBASSY REPS IN TRIPARTITE MEETING JUNE 24 AND BONN GROUP MEETING JUNE 26, WITH EXPRESSION OF HOPE THAT DELETION WOULD RESULT IN ONLY MINIMAL OTHER CHANGES TO TEXT IN INTEREST OF REACHING AGREEMENT SOONEST ON FINAL RESPONSE TO SOVIET PROTEST OF APRIL 4.

2. AT BONN GROUP MEETING AD REF AGREEMENT WAS REACHED ON FOLLOWING TEXT, WHICH DELETES SENTENCE IN QUESTION AND MAKES RELATIVELY MINOR MODIFICATIONS AND CHANGES TO REMAINDER OF PARA 2. WE HOPE TO BE ABLE TO CO-ORDINATE FINAL APPROVAL AT NEXT BONN GROUP MEETING
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SCHEDULED FOR JULY 1.

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3. BEGIN TEXT
A. WITH REFERENCE TO THE ORAL STATEMENT MADE BY A REPRESENTATIVE OF THE SOVIET EMBASSY ON APRIL 4 IN CONNECTION WITH THE KIDNAPPING OF MR. PETER LORENZ, CHAIRMAN OF THE WEST BERLIN BRANCH OF THE CHRISTIAN DEMOCRATIC UNION, I WISH TO INFORM YOU OF THE FOLLOWING:
B. IN THE STATEMENT, THE SOVIET AUTHORITIES APPEAR TO BE ASSERTING THAT, BECAUSE THE KIDNAPPING TOOK PLACE IN THE WSB, IT WAS SOMEHOW IMPROPER FOR FRG OFFICIALS TO BE INVOLVED IN THE MATTER IN ANY WAY. THE SOVIET AUTHORITIES MAY RECALL, HOWEVER, THAT THE KIDNAPPERS PLACED DEMANDS NOT ONLY ON BERLIN AUTHORITIES BUT ALSO ON THE GOVERNMENT OF THE FRG AND THAT COORDINATED DECISIONS WERE REQUIRED TO SECURE THE SAFE RELEASE OF MR. LORENZ. MOREOVER, IN MAKING THE RELEASE OF CRIMINALS IN PRISONS IN THE WSB AND THE FRG A CONDITION OF MR. LORENZ'S RELEASE, THE KIDNAPPERS VIOLATED LAWS APPLICABLE BOTH IN THE WSB AND IN THE FRG. THE COORDINATION AND COOPERATION BETWEEN THE AUTHORITIES OF THE FRG AND THOSE OF THE WSB DID NOT CONSTITUTE ACTS IN THE EXERCISE OF DIRECT STATE AUTHORITY BY THE FRG OVER THE WSB. NO SUCH ACTS HAVE OCCURRED; THE ROLE OF THE FEDERAL GERMAN AUTHORITIES WAS FULLY CONSISTENT WITH ALL PROVISIONS OF THE QA INCLUDING SPECIFICALLY PART II B.

C. FOR EXAMPLE, AS REGARDS THE ROLE OF THE FEDERAL PROSECUTOR, I REFER YOU TO THE STATEMENT ON THIS SUBJECT MADE BY THE BERLIN SENAT ON MARCH 8, 1975. AS REGARDS THE SOVIET REFERENCE TO THE POLICE REINFORCEMENTS WHICH WENT TO BERLIN FROM A NUMBER OF LAENDER POLICE FORCES, THESE POLICE REINFORCEMENTS WERE SENT TO BERLIN AT THE REQUEST OF THE WEST BERLIN AUTHORITIES AND THEIR PRESENCE THERE WAS APPROVED BY THE ALLIED AUTHORITIES. THEY WERE PLACED UNDER THE DIRECT COMMAND OF THE WEST BERLIN AUTHORITIES AND WERE, THEREFORE, SUBJECT TO ALLIED CONTROL. WHILE IN BERLIN THEY WERE NOT AT ANY TIME SUBJECT TO THE CONFIDENTIAL

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CONTROL OF THE FEDERAL GERMAN AUTHORITIES.

D. THE AUTHORITIES OF THE THREE POWERS TOOK GREAT CARE TO ENSURE, IN A DIFFICULT AND EXCEPTIONAL SITUATION, THAT THE PROVISIONS OF THE QA WERE FULLY OBSERVED. THEY WILL, OF COURSE, CONTINUE TO DO SO.
END TEXT

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4. ACTION REQUESTED: DEPARTMENT APPROVAL OF ABOVE TEXT OF ORAL REPLY, TO BE MADE AS PREVIOUSLY AGREED TO SOVIET REPS IN WASHINGTON AND LONDON AND POSSIBLY IN PARIS.
HILLENBRAND

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Message Attributes

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